

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRIAN J. NIEDERMIER,

Plaintiff,

v.

MICHAEL ASTRUE, Commissioner of
Social Security,

Defendant.

Case No. C07-5224BHS

ORDER TO SHOW CAUSE

The matter is before the court due to the fact that plaintiff has not filed an opening brief as directed by the court.

On August 14, 2007, defendant filed his Answer to the Complaint, and on August 21, 2007, the court directed plaintiff to file his opening brief by September 11, 2007. To date, the clerk of the court has not received any pleadings from plaintiff.

Accordingly, **plaintiff shall either file the opening brief or show cause why this matter should not be dismissed for failure to prosecute by not later than September 28, 2007.**

The clerk is directed to send a copy of this order to counsel of record.

DATED this 14th day of September, 2007.

/s/ J. Kelley Arnold

J. Kelley Arnold
United States Magistrate Judge